



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,917	04/13/2004	Gerald D. Stomski	10704-P	3577

41675 7590 08/18/2005

MALCOLM J. CHISHOLM, JR.
ATTORNEY AT LAW
P. O. BOX 278
220 MAIN STREET
LEE, MA 01238

EXAMINER

MULLEN, THOMAS J

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 08/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,917

Applicant(s)

STOMSKI, GERALD D.

Examiner

Thomas J. Mullen, Jr.

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1-16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/13/04</u> . | 6) <input type="checkbox"/> Other: ____ |

Art Unit: 2632

1. The petition to make the application "special" having been granted on 1/25/05, an Office action on the merits follows.

2. The disclosure is objected to because of the following informalities:
in the Title (page 1 of specification, lines 3-4), "TERRORITS" should be --TERRORISTS--;

page 6, line 31, it appears that "kind" should be --kind of--;

page 12, line 11, it appears that "73" should be --74--;

page 12, line 31, it appears that "36" should be --32--;

page 12, line 32, it appears that "with a the" should be simply --with the--; and

page 12, last line, it appears that "ventilation-system" should be --ventilation-filtration system--.

Appropriate correction is required.

3. The drawings are objected to because:

in Fig. 2, it appears that reference numeral 66 (on the right side of the figure towards the top) should be 68, i.e. the associated element appears to be the bomb-blast "flap" rather than the bomb-blast "enclosure" per se (see page 10, lines 29-30 of the specification); and

in Fig. 4, it appears that reference numeral 56 should be added to the list of numerals (at the lower right portion of the figure), since the floor 56 of the security monitoring station is apparently also stored in the portal floor cavity 59 (see page 9, lines 29-31 of the specification).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Art Unit: 2632

4. Claims 1-16 are objected to under 37 CFR 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 9, fifth line from the bottom of each claim, a right parenthesis should be added after "(22".

In claim 3, lines 3-4, "the ventilation-filtration system" lacks antecedent basis (note the dependency of the claim).

5. This application is in condition for allowance except for the following formal matters: see paragraphs 2-4 above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The art cited by applicant is made of record (the patent number associated with Zekich, US 4586441, has been corrected by the examiner). Schwartz (US 5915449), Gower (US 6886299), Leach et al (US 3814016) and Fleisher et al (US 5769257) disclose various blast- or explosion-suppressing structures. Davies (US 6790249) discloses a decontamination portal for persons who may have been exposed to toxic materials. Brown et al (US 2004/232054) discloses a detection portal for explosives, contraband, etc. carried by vehicles. Risi (US 6724304), Hunt et al (US 2003/213184), Husseiny et al (US 5600303) and Rodriguez (US 5039981) disclose various types of "portals" for sensing explosives, contraband, etc. carried by persons for the purpose of restricting access of the person to a point beyond the "portal" if such sensing (or checking by authorized personnel) turns up such explosives, contraband, etc.

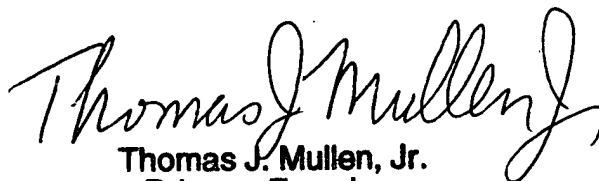
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.

Art Unit: 2632

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

TJM

A handwritten signature in black ink, reading "Thomas J. Mullen, Jr.", with a stylized, cursive script.

Thomas J. Mullen, Jr.
Primary Examiner
Art Unit 2632